

seized at Jackson, Miss., judgments were entered ordering that the product be condemned and destroyed. On June 19, 1933, a decree was entered in the Eastern District of Louisiana, condemning the product and ordering its release to the claimant, F. G. Favoloro Sons, Inc., under bond in the sum of \$1,500, conditioned that it be properly relabeled.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20539. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree ordering product released under bond to be reworked. (F. & D. no. 29071. Sample no. 10075-A.)**

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On September 26, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 tubs of butter at Jersey City, N. J., consigned by the Harrow-Taylor Butter Co., Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about September 8, 1932, from Kansas City, Mo., to Jersey City, N. J., and changing adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

On November 26, 1932, the Harrow-Taylor Butter Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented to the condemnation of the product, judgment was entered ordering that the butter be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned that it be reworked so that it comply with the law.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20540. Adulteration of canned tomato puree. U. S. v. 226 Cases, et al., of Tomato Puree. Default decree of condemnation and destruction. (F. & D. no. 28635. Sample nos. 8926-A, 8927-A.)**

This case involved a quantity of tomato puree that was found to contain excessive mold.

On August 11, 1932, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 906 cases of canned tomato puree, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce, in part on or about January 29, 1932, and in part on or about April 26, 1932, by the Haxton Canning Co., from Oakfield, N. Y., to Pittsburgh, Pa., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Haxton Brand Fancy Tomato Puree \* \* \* Packed by Haxton Canning Co., Inc., \* \* \* Oakfield, N. Y." The remainder was labeled in part: "Carson Brand Tomato Puree C. D. Co."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On December 19, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20541. Adulteration of butter. U. S. v. 8 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 28624. Sample no. 11993-A.)**

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On July 26, 1932, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight tubs of butter, remaining in the original unbroken pack-